

Message Text

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ORIGIN COME-00

INFO OCT-01 EUR-25 ISO-00 EB-11 L-03 CIAE-00 INR-10

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R 072103Z JAN 74

FM SECSTATE WASHDC

TO AMEMBASSY BUCHAREST

UNCLAS STATE 002767

E.O. 11652: N/A

TAGS: BDIS, RO

SUBJ: TRADE COMPALINT: INTERNATIONAL AFFILIATES

COMPANY

REF: BUCHAREST 04587

1. CONTENT REFTEL TRANSMITTED TO COMPANY. IAC REPLIES THAT AZOEXPORT INABILITY TO CHANGE PACKAGING ACCEPTED AMICABLY. COMPANY OBJECTS, HOWEVER, TO AZOEXPORT DESCRIPTION OF LETTERS OF CREDIT; MAINTAINS THAT DOLS 68 IS PRICE PER SHORT TON, EQUAL TO DOLS 75 PER METRIC TON. HENCE IAC ALLEGES FTO SEIZED ON MERE TECHNICALITY AS EXCUSE TO OBSTRUCT TRANSACTION. IAC NOW WORKING WITH ITS CUSTOMERS TO CONVERT LETTERS OF CREDIT TO CORRECT FORM.

2. IAC STILL WANTS COMPLETE FULFILLMENT OF CONTRACT. FAILING THAT, COMPANY WOULD AT LEAST LIKE TO HAVE OFFER OF 5,000 TON SHIPMENT RAISED TO 7,000 TONS IN ORDER TO FILL
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VESSEL TO BE SENT IN JANUARY. EMBASSY MAY WISH TO URGE

ROMANIANS TO COMPLY WITH THIS REQUEST.

3. WE RECOGNIZE THAT CONTRACT'S FORCE MAJEURE CLAUSE DOES NOT GIVE IAC MUCH PROTECTION. CLAUSE READS AS FOLLOWS: QUOTE ANY HINDRANCE DUE TO MEANS OF TRANSPORT, EXPORT PROHIBITION, CHANGES IN THE CUSTOMS OR EXPORT REGULATIONS, POLITICAL REASONS, WAR, BLOCKADE, FLOOD, FIRE, EARTHQUAKE, SHIPWRECK, INTERRUPTION OF OUTPUT, PART OR GENERAL STOPPAGE OF WORK DUE TO NO MATTER WHAT REASONS, AS WELL AS ANY OTHER EXTRAORDINARY CIRCUMSTANCE LIABLE TO PREVENT THE EXECUTION OF THIS CONTRACT, AND BEING BEYOND THE SELLER'S POSSIBILITY OF INTERVENTION, WILL GIVE THE SELLER THE RIGHT TO SUSPEND THE EXECUTION OF THE CONTRACT THROUGHOUT THE DURATION OF THE FORCE MAJEURE CIRCUMSTANCE UNQUOTE.

4. WE APPRECIATE EMBASSY ASSISTANCE. FYI: DURING CEAUSESCU VISIT, IAC CONTACTED MFT DEPUTY MINISTER STANCIU WHO, AFTER INITIAL CHILLY RESPONSE, INDICATED HE MIGHT ASSIST IN RESOLVING DISPUTE. KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
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Copy: SINGLE
Draft Date: 07 JAN 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Source: CORE
Document Unique ID: 00
Drafter: COM/BEWT/EE/554:REDWARDS:APT
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Executive Order: N/A
Errors: N/A
Film Number: n/a
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Handling Restrictions: n/a
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ISecure: 1
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30 JUN 2005

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Subject: TRADE COMPALINT: INTERNATIONAL AFFILIATES COMPANY
TAGS: BDIS, RO
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